



Cannabis Control Commission Unanimously Approves Draft Regulations Proposing Changes to Adult Use, Medical Use of Marijuana Programs

JUNE 28, 2019 / IN NEWS

Public comment on proposed policy changes will be accepted through August 16

FOR IMMEDIATE RELEASE:

June 3, 2019

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BOSTON—The Cannabis Control Commission (Commission) on Thursday unanimously approved changes to Massachusetts' adult use and medical use of cannabis regulations based upon policies they agreed to over several days of public meetings. Revisions include new license types as well as unified application, enforcement, and administrative processes for the adult- and medical-use programs. In addition to adjusting fees, the Commission agreed to eliminate annual registration fees for patients.

"Commissioners and staff have worked diligently to revise our regulatory structure in a way that brings parity to the adult- and medical-use cannabis

programs, increases equity and participation in the legal marketplace, ensures licensee compliance with ownership and control limits, and enhances the health and safety of Marijuana Establishment patrons and patients," Commission Chairman Steven J. Hoffman said. "Now the public has the opportunity to grapple with some of the complex issues we have considered as we continue working together to build a safer, more equitable, and more effective industry in Massachusetts."

The draft regulations will be filed with the Secretary of State's Regulation Division and published on the Commission's website. Public hearings on the drafts will be held in August and a public comment period will be open through August 16. After that, the Commission will reconvene to consider the public's feedback and vote on the final changes before new regulations are promulgated by the Secretary of State. Some of the proposed policy changes embedded in the drafts include:

Social Consumption Pilot Program

- Under the adult-use cannabis program, up to 12 communities across the state would be authorized to host Marijuana Establishments (MEs) in which adults ages 21 and older could consume cannabis on site.
- Licenses for primary-use locations, sometimes referred to as cannabis cafes, would be exclusively available to licensed Microbusinesses, Craft Marijuana Cooperatives, certified Economic Empowerment Priority Applicants [<https://mass-cannabis-control.com/wp-content/uploads/2018/04/FINAL-Social-Provisions-Guidance-1PGR-1.pdf>], and Social Equity Program Participants [<https://mass-cannabis-control.com/equityprograms-2/1>] for an initial period of two years.
- The Commission will collect and report on data measuring certain criteria to determine whether goals of the exclusivity period are met prior to making the license type available to general applicants.
- Despite any regulatory changes, the pilot program is unable to begin without a change in state law that first allows cities and towns to authorize social consumption in their communities.

Delivery Licenses

- Under the adult-use cannabis program, a Delivery-Only license type would be created exclusively for certified Economic Empowerment Priority

Applicants and Social Equity Program Participants for an initial period of two years.

- Adult-use delivery businesses will be required to obtain marijuana and marijuana products from other licensed marijuana retailers.
- Delivery for adult-use consumers would be restricted to residential addresses and municipalities in which retail sales are permitted. They would be prohibited from dormitories and other university housing, commercial hospitality operations including hotels and bed-and-breakfasts, and federally subsidized housing.
- To ensure marijuana products are distributed to consumers of legal age and correct identity, adult consumers who choose to utilize delivery services will first need to pre-verify their age and identity through the Marijuana Retailer from which they intend to order products.
- Medical-use deliveries would only be prohibited from dormitories and other university housing and federally subsidized housing, but patients would not need to pre-verify through a Medical Marijuana Treatment Center (MTC).
- To maximize the safety and security of delivery drivers, consumers, and patients, regulations for both the proposed adult-use delivery program and the existing medical use of marijuana program have been developed consistent with retail operation safety protocols including the use of vehicle cameras for all deliveries, and body cameras for adult-use deliveries.

Ownership and Control

- To add protections around the statutory limitations regarding ownership and control, MTC and ME applicants will need to proactively submit management contracts and similar materials as part of their application.
- To enhance background checks and investigations into owners, persons or entities having direct control, and close associates of a license, the draft regulations clarify definitions under both the medical- and adult-use cannabis programs.
- Consequences have been strengthened for any persons or entities that violate license limits through enforcement mechanisms such as licensure denial, revocation of a license, and denial of a license renewal.

Fees

- To recoup licensing and inspectional costs and bring the adult-use cannabis industry in line with the medical-use industry, license and

application fees would increase under the draft regulations for larger Cultivators (20,001-100,000 square feet of canopy), as well as Retailers, Product Manufacturers, Independent Testing Laboratories, and Transporters with an Existing License.

- To maintain low barriers to entry for small Cultivators (up to 20,000 square feet of canopy), Microbusinesses, Third-Party Transporters, and Research Facilities, annual license fees would not change under the draft regulations.
- To bring parity to the medical- and adult-use application processes, the draft regulations develop new application fees for vertically integrated MTCs that are more in line with the application fees for adult-use Retailers, Product Manufacturers, and Cultivators.
- As part of the Commission's ongoing support of farmers and environmentally conscious operations, reduced fees would continue for smaller outdoor Cultivators.
- Certified Economic Empowerment Priority Applicants and Social Equity Program Participants would have application fees waived and annual license fees reduced.
- For certified patients who register for access to medical marijuana, the Commission would eliminate the \$50 annual patient registration fee.

Removal of Product

- The draft regulations enable the Commission to order a product or product line that presents substantial risks to health, safety, and welfare to be removed from all licensees' shelves or prohibited from sale following an informal hearing process and Commission consideration.

Video recordings of the Commission's previous public policy discussions regarding the draft regulations are available on [Facebook](https://www.facebook.com/Massachusetts-Cannabis-Control-Commission-2085850278302810/)

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For more information, contact the Commission at 617-701-8400, email the Commission at CannabisCommission@mass.gov

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